



THE LAW OFFICES  
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**BY EMAIL**

Honorable Stephanie A. Gallagher  
United States District Court for the  
District of Maryland  
101 West Lombard Street  
Chambers 7C  
Baltimore, MD 21201

Re: *Cofield et al. v. Worktime, Inc. et al.*, Case No. 1:22-cv-00727.

Dear Judge Gallagher:

This firm, along with BakerHostetler, represent defendants The Progressive Corporation, Progressive Casualty Insurance Company, Progressive Direct Insurance Company, and Progressive Commercial Casualty Company<sup>1</sup> (collectively, the “Progressive Defendants”) in the above-referenced action.

We are writing to seek the Court’s guidance regarding a number of filings that plaintiffs have made in both the state court prior to removal and in this Court. These filings include, among others:

- 1) Motion for an Order Compelling Discovery or in the Alternative to request Judicial Notice of State Court Filing Motion Upon Removal (ECF #7);
- 2) Notice to Amend and/or Supplement the Plaintiff(s) Motion for Summary Judgment and Any Untimely Response by All the Defendants with Additional Medical Billing Records in Further Support of Plaintiff(s) Motion for Summary Judgment (ECF #8);
- 3) Motion to Strike for Failure to Serve All Plaintiff(s) Any and All Documents Relating to Notice Removal to USDC (ECF#9);

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<sup>1</sup> Plaintiffs list multiple defendants using the word “Progressive” in their complaint. Of these, only The Progressive Corporation, Progressive Casualty Insurance Company, Progressive Commercial Casualty Company, and Progressive Direct Insurance Company exist as legal entities.

- 4) State Court Motion for Summary Judgment by Keenan Cofield (ECF #13);
- 5) Notice of Service of Discovery Material (containing document requests, requests for admission, interrogatories, and deposition upon written questions) (ECF #16 and 16-1); and
- 6) Plaintiffs Motion for Judgment on All Plaintiff(s) Pleadings and Filings to Date (ECF #35).

In the interests of judicial economy and efficiency for the parties, we request that the above-referenced motions and discovery (and any other motions plaintiffs have filed or intend to file unrelated to service of process) be held in abeyance until all parties are properly served and joined and the Court rules on defendants' dispositive motions. Certain filings, such as the motion and notice related to discovery, are demonstrably premature under Local Rule 104.4, which states that "discovery shall not commence and disclosures need not be made until a scheduling order is entered." Deferred consideration of the other motions and filings would serve the interests of economy and efficiency for the Court and the parties.

Alternatively, we respectfully request a court conference to discuss these issues.

We appreciate the Court's attention to this matter.

Sincerely,



Mark I. Bailen

cc: Dr. Keenan Cofield  
Laverne Thompson  
KN  
Michael K. Farrell, Esq.  
Kendall C. Kash, Esq.  
Emily S.P. Baxter, Esq.